

AN AMENDED ORDINANCE

04-O-1014

BY CITY UTILITIES COMMITTEE

TO ABANDON THAT PORTION OF CAPITOL AVENUE, SW LOCATED FROM GAMMON STREET TO McDONOUGH BOULEVARD/UNIVERSITY AVENUE CONSISTING OF .6299 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOTS 56 AND 73 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a formal request from the abutting property owner, to abandon a portion of CAPITOL AVENUE, SW for the purpose of using the property for their own private use; and

WHEREAS, the request to abandon said street has been reviewed by the proper city agencies and by all public utilities prior to passage of the legislation; and

WHEREAS, the abandoned right-of-way will become part of the abutting owner's private property and will be their responsibility to maintain, operate, and provide all services and utilities; and

WHEREAS, the abutting property owner has agreed to acquire said street from the City of Atlanta for the appraised fair market value; and


NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1: That the portion of CAPITOL AVENUE, SW located from Gammon Street to McDonough Boulevard/University Avenue consisting of .6299 acres, more or less, and being more specifically described in the attached exhibit "A" lying and being in Land Lots 56 and 73 of the 14th District, Fulton County, Georgia the same are hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 2: That the City's intent is hereby given to abandon said street.

SECTION 3: That the abutting property owner's have agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.

SECTION 4: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said



utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

SECTION 5: That the Chief Procurement Officer be and is hereby authorized to appraise said street to determine their fair market land value.

SECTION 6: That all costs associated with the appraisal report shall be charged to and paid from Account Number 3P02 574001 M22F03349999.

SECTION 7: That the Mayor be and is hereby authorized to execute a quitclaim deed to said street.

SECTION 8: That all ordinance and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy,

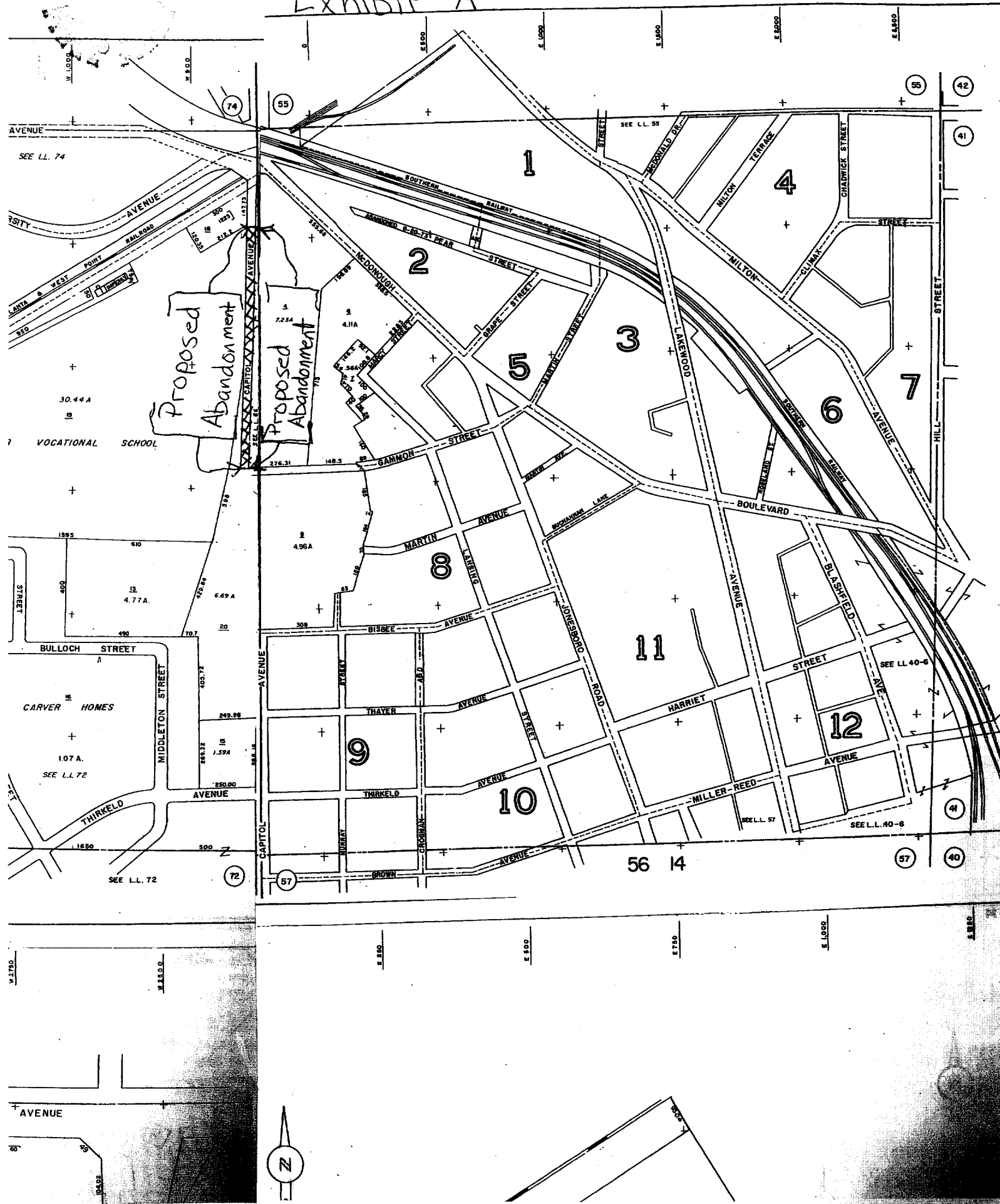


Deputy Clerk

ADOPTED as amended by Council
APPROVED by the Mayor

July 6, 2004
July 14, 2004

Exhibit "A"



RCS# 5880
7/06/04
3:18 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-9, EXCEPT:04-R-1187
 04-R-1179 04-R-1143 03-O-1690
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

| | | | | |
|-----------|-------------|-----------|----------|------------|
| Y Smith | Y Winslow | Y Shook | Y Martin | Y Mitchell |
| Y Starnes | Y Archibong | NV Muller | Y Maddox | Y Norwood |
| NV Young | Y Fauver | Y Moore | Y Mosley | Y Willis |

CONSENT I

| 7-06-04 Council Meeting | |
|--|--|
| ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 04-O-1036 2. 04-O-1037 3. 04-O-1038 4. 04-O-1039 5. 04-O-1040 6. 04-O-1041 7. 04-O-1042 8. 04-O-1196 9. 04-O-1013 10. 04-O-1014 11. 04-O-1050 12. 04-O-1054 13. 04-O-1055 14. 04-O-1058 15. 04-R-1152 16. 04-R-1153 17. 04-R-1158 18. 04-R-1193 19. 04-R-1155 20. 04-R-1149 21. 04-R-1150 22. 04-R-1033 23. 04-R-1146 24. 04-R-1148 25. 04-R-1159 26. 04-R-1160 27. 04-R-1161 28. 04-R-1187 29. 04-R-1188 30. 04-R-1189 31. 04-R-1190 32. 04-R-1191 33. 04-R-1192 | 34. 04-R-1163 35. 04-R-1164 36. 04-R-1165 37. 04-R-1166 38. 04-R-1167 39. 04-R-1168 40. 04-R-1169 41. 04-R-1170 42. 04-R-1171 43. 04-R-1173 44. 04-R-1174 45. 04-R-1175 46. 04-R-1176 47. 04-R-1177 48. 04-R-1179 49. 04-R-1180 50. 04-R-1181 51. 04-R-1182 52. 04-R-1183 53. 04-R-1184 54. 04-R-1185 55. 04-R-1186 |

04-D-1014

(Do Not Write Above This Line)

AN ORDINANCE

BY: CITY UTILITIES COMMITTEE

AN ORDINANCE TO ABANDON THAT PORTION OF HANK AARON DRIVE, SW LOCATED FROM GAMMON STREET TO McDONOUGH BOULEVARD/UNIVERSITY AVENUE CONSISTING OF .6299 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING LAND LOTS 56 AND 73 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

ADOPTED BY

As Amended JUL 06 2004

COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 6-7-2004

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee City Utilities
Date June 29, 2004
Chair Rick Stinson
Referred To City Council

Committee City Utilities

Date June 29, 2004

Chair Rick Stinson

Action

Fav, Adv, Hold (see rev. side)

AS ADOPTED

Members

Rick Stinson

City Council

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

CERTIFIED

FINAL COUNCIL ACTION

☒ 2nd

☐ 1st & 2nd

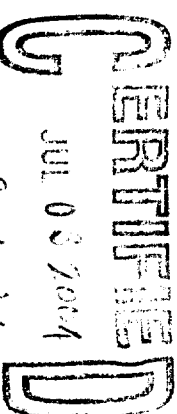
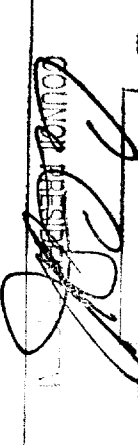
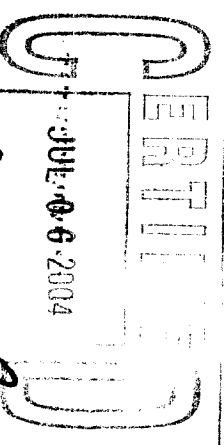
☐ 3rd

Readings

☒ Consent

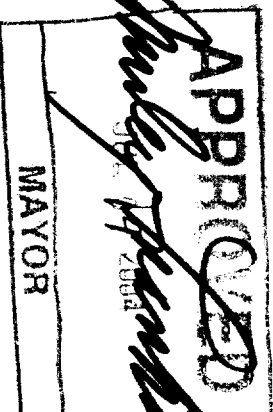
☐ V Vote

☒ RC Vote



Rick Stinson
MUNICIPAL CLERK

MAYOR'S ACTION



MAYOR